Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Advanced Methods to Target and Eliminate Unlawful Robocalls	)	CG Docket No. 17-59
	)	
	)	
Call Authentication Trust Anchor	)	WC Docket No. 17-97
	)	

REPLY COMMENTS OF TELIAX, INC.

Teliax, Inc. ("Teliax"),[1] through counsel, respectfully submits its reply to certain comments filed on July 24, 2019, in response to the Federal Communications Commission's ("FCC" or "Commission") Third Notice of Proposed Rulemaking in the above-captioned proceedings.[2]

I. The Use of Substitute Caller ID Information Can be Legitimate and Such Calls Must not Be Blocked

Teliax agrees with Ring Central, Inc.'s ("Ring Central") comments that explain the important need to protect legitimate substitution of Caller ID information, including "including as an example call centers that substitute Caller ID of an outgoing call to utilize a business's in-bound toll-free number."[3] The SHAKEN/STIR system and related FCC rules must not require those types of calls to be blocked automatically.

Teliax provides 8YY origination service to a number of call centers, including those operated by, or on behalf of, some large interexchange carriers. It is common for a service representative at

[1] Teliax is a competitive local exchange carrier ("CLEC") based in Denver, Colorado. The Company provides voice and data services to both retail and wholesale customers, including toll free (8YY) origination service. Through an affiliate, Teliax also offers access to the Toll Free Exchange, a propriety platform that allows carriers and service providers to offer toll free calling services completely through IP transport, bypassing the unnecessary costs and technical limitations of the Public Switched Telephone Network ("PSTN").

[2] *Advanced Methods to Target and Eliminate Unlawful Robocalls* and *Call Authentication Trust Anchor*, Declaratory Ruing and Third Further Notice of Proposed Rulemaking, CG Docket No. 17-59 & WC Docket No. 17-97, FCC 19-51 (rel. June 7, 2019) ("*Third NPRM*").

[3] Ring Central Comments at 6.

one of a company's call centers, when dealing with an inbound caller, to add to the call a second service representative working at a separate call center or to transfer the inbound caller to a different call center altogether. In many instances, the first call center does not transmit its POTS telephone number as the Caller ID or other number identifying the caller, sent through Teliax, to the second call center. Rather, the first call center often sends its inbound toll free number. For example, rather than transmit 402-555-XXXXX, an Omaha-based call center transferring a consumer to an affiliated Salt Lake City-based call center might transmit the first center's inbound toll free number 888-555-XXXX. This is a legitimate use of North American Numbering Plan ("NANP") resources and telecommunications networks.[4]

Several things are, therefore, critical in this instance. First, the outbound call from the first call center (with the call center's inbound customer aboard) to the second call center must not be blocked on a mandatory basis. Otherwise, the inbound caller will not be able to get the information or assistance being requested from a call center service representative. Second, both network operators and toll free subscribers must be allowed to use NANP resources in any way that does not violate the FCC's rules or Industry standards or agreements. If a toll free subscriber wants to use its inbound 8YY number to identify itself on outbound calls, its choice should not be overruled by the FCC absent evidence the underlying traffic constitutes spam or fraud. Third, any new FCC rules and/or Industry standards related to Call Authentication must ensure that the toll free number being sent through the network has been assigned to the calling party (the first call center in this example) and is not being used to deliver unwanted or fraudulent calls.

Given the importance of 8YY calling in the United States, the Commission needs to have a full understanding of how 8YY numbers are used, including as an outbound number, before it adopts final

[4] Verizon provides another example of how a single 8YY number could be assigned to a single toll free subscriber serviced by a local exchange carrier but routed over several interexchange carriers as directed by the subscriber. Verizon Comments at 9. This use too needs to be accommodated by the FCC's new rules for SHAKEN/STIR.

rules related to the SHAKEN/STIR system. Further, the Commission must make it clear in its rules how such numbers and their lawful use fit within the SHAKEN/STIR framework and specify that otherwise compliant calls are not to be blocked automatically.

The use of 8YY numbers for outbound calls is the most common and stark example of when and why the Caller ID information can be legitimately different from the calling party's actual telephone number. However, Ring Central notes several other valid situations, including home-based workers that use their employer's telephone number to identify the caller.[5] These uses of NANP resources are legitimate as well and need to be protected. SHAKEN/STIR and related FCC rules must accommodate flexible uses of telephone numbers and technology so long as they are not used to mislead, to defraud or to transmit unwanted calls.

Also, Teliax agrees with Ring Central that the Third NPRM does not address adequately these types of calls and how to handle them within the SHAKEN/STIR framework so that they will not be blocked automatically. Teliax urges the Commission to continue to work with the Industry and law enforcement to develop a method to address those calls and ensure completion of valid traffic, while protecting the public against fraudulent and unwanted spoofed calls. Finally, the Commission should seek even further comments on any forthcoming Industry recommendations.

II. Not All Calls with Missing Caller ID Information Are Bad Calls and Upstream Carriers Should not Be Precluded by Commission Rules to Provide Understandable Identification of Such Calls

T-Mobile, seemingly recognizing that some calls lack "proper" Caller ID information, argues for allowing carriers to have an option of blocking calls that fail to pass SHAKEN/STIR authentication or to pass it along with "as much call information as is available."[6] Based on Teliax's experience, much

[5] Ring Central Comments at 6-7. *See also,* Comments of T-Mobile at 7 and Comments of the Cloud Communications Alliance at 7-8 (offering further information about examples of legitimate substitution of Caller ID information).
[6] T-Mobile Comments at 9.

of that traffic is valid in nature and, if identified reasonably, should be passed on to the next carrier for it to make the call blocking decision. This is especially important on toll free calls.

For example, Teliax, as a wholesale provider of 8YY origination services, receives some calls from upstream service providers that contain improperly formatted call source information or no Caller ID information whatsoever. Sometimes the calling party blocks its Caller ID information in a manner that overrides the requirement that the terminating carrier ignore the privacy indicator for calls "made to a called party that subscribes to an ANI or charge number based service and the call is paid for by the called party."[7] In these instances, Teliax has no information that any particular call is "bad" or that a specific upstream service provider is sending "bad" calls on a regular basis. Nevertheless, this traffic has sometimes caused disputes with some interexchange carriers even though they have not requested Teliax to block such calls or upstream service providers.

Teliax, after some negotiations, has basically agreed with one 8YY carrier to implement the following practice for calls that have no originating line information such that a Carrier Identification Code ("CIC") cannot be derived and the call would otherwise fail/disconnect. In these instances, Teliax would populate the Session Initiation Protocol ("SIP") signaling field with a non-randomized NANP Billing Telephone Number ("BTN") that is associated with the Teliax Operating Carrier Number ("OCN") and the upstream service provider's trunk group to identify the call source. This association would be made known to the 8YY carrier. Thus, if ABC CLEC were to send toll free traffic to an interexchange carrier, through Teliax, which did not contain complete Caller ID information or that had the Caller ID information suppressed, Teliax would assign a unique BTN to that traffic. The

[7] 47 C.F.R. § 64.1601(b). Toll free calls use Automatic Number Identification ("ANI") technology to provide the toll free subscriber with the caller's telephone number because ANI cannot be blocked by dialing *67 as can be done with Caller ID information. However, there is a feature within Google Voice that allows individuals to dial within voice mail in manner that hides the source number from ANI technology, allowing unidentified calls to toll free numbers. https://itstillworks.com/block-number-calling-toll-8088596.html (Aug. 20, 2019). There are likely other ways of suppressing the caller's identity on toll free calls. To the extent the Commission wishes to stop this practice so as to require the transmission of ANI on every toll free call, the FCC must regulate Google Voice and similar services. Carriers cannot solve the problem.

downstream carrier, in turn, could investigate the traffic and, if so desired, request Teliax to block those calls. This is a rational solution to a problem and, therefore, should be permissible in a SHAKEN/STIR environment.

III. SHAKEN/STIR Must Accommodate the Role of Call Aggregation in the Market

INCOMPAS expresses concern for small carriers that may not have the resources needed to participate in SHAKEN/STIR. It states: "There continues to be a need to aggregate and route traffic through transit arrangements and least cost routing. These arrangements may not allow these providers to achieve 'full attestation' within the framework, but they are foundational to the interconnected PSTN."[8] Most of INCOMPAS's members are smaller service providers that are essential to meet customer demand and to restrain the market-control-seeking larger carriers by offering lower prices, especially for smaller business, government and nonprofit customers.

While Teliax supports the need for the entire industry to move to SHAKEN/STIR, there must be flexibility for smaller operators' adoption of SHAKEN/STRIR. Equally important is the need for the FCC to recognize the importance of call aggregators in telecommunications. As Teliax has explained many times, many smaller Competitive LECs and Over-the-Top ("OTT") VoIP providers do not choose to provide 8YY call origination services themselves for a variety of reasons, including to avoid the need to supplement their IP-based networks with TDM technology solely to deliver traffic to the largest interexchange carriers that have so far failed to convert their toll free networks to IP technology. Instead, small providers often choose to make an agreement with specialized carriers, such as Teliax, that have both IP and TDM capacity to originate toll free calls.

Similarly, many smaller providers, well aware of the refusal of some large interexchange carriers to pay access charges on toll free calls that they deliver to their subscribers, choose to transfer the collection problem to Teliax and its competitors in exchange for a split of collected revenues. This too is a legitimate market function that must be accommodated by SHAKEN/STIR. As explained above,

[8] INCOMPAS Comments at 9.

it is possible to provide identification of upstream calls by inserting source-unique BTNs for this traffic that provide the downstream interexchange carriers information that can enable them to block unwanted or fraudulent calls. However, absent a decision by that carrier to block traffic, SHAKEN/STIR must recognize traffic aggregation and prohibit automatic blocking of these calls.

IV. Conclusion

Teliax urges the FCC to implement SHAKEN/STIR requirements on a careful basis so not to require automatic blocking of all calls that, at first blush, seem to indicate they problematic in nature. The rules must accommodate the realities of the market and the use of technology and NANP resource in ways that do not result in fraud or other unwanted traffic.

Respectfully submitted,

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